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10 UNITED STATES DISTRICT COURT  
11 CENTRAL DISTRICT OF CALIFORNIA  
12 SOUTHERN DIVISION

13 Josette Ruhnke, an individual; Cindy  
Verity, an individual; on behalf of  
14 themselves and all others similarly  
situated,

15 Plaintiffs,

16 vs.

17 SkinMedica, Inc., a Delaware  
18 Corporation, and Allergan, Inc., a  
Delaware Corporation,

19 Defendants.  
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Case No. 8:14-cv-00420 DOC (RNBx)

**DEFENDANTS' NOTICE OF  
MOTION AND MOTION TO  
DISMISS PLAINTIFFS' SECOND  
AMENDED CLASS ACTION  
COMPLAINT UNDER FEDERAL  
RULE OF CIVIL PROCEDURE  
12(b)(6)**

*[MEMORANDUM OF POINTS AND  
AUTHORITIES AND PROPOSED  
ORDER FILED CONCURRENTLY  
HEREWITH]*

Date: December 8, 2014  
Time: 8:30 a.m.  
Ctrm: 9D  
Judge: Hon. David O. Carter

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE THAT** on December 8, 2014, at 8:30 a.m. or as soon thereafter as may be heard, before the Honorable David O. Carter in Courtroom 9D of the United States District Court for the Central District of California, located at 411 West Fourth Street, Santa Ana, California 92701, Defendants SkinMedica, Inc. and Allergan, Inc. will and hereby do move the Court for an order to dismiss the Second Amended Class Action Complaint, in part, in the above-titled action for failing to state a claim upon which relief can be granted.

This Motion is based on this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the pleadings and papers on file herein, such arguments and evidence as may be presented in supplemental memoranda or as may be presented at the hearing, and any other matters of which the Court may take notice.

This Motion is made following the conference of counsel pursuant to Local Rule 7-3, which took place on October 28, 2014.

Dated: November 4, 2014

IRELL & MANELLA LLP

By: /s/ John C. Hueston

John C. Hueston

Attorneys for Defendants SkinMedica, Inc. and Allergan, Inc.